

**UNITED STATES BANKRUPTCY COURT
EASTERN DIVISION OF MISSOURI
EASTERN DISTRICT**

In re:)
) Case No. 00-48514-399
DONNA LA VERNE WARGO,) Judge Barry S. Schermer
) Chapter 7
Debtor.)

**TRUSTEE'S MOTION TO DELIVER UNCLAIMED FUNDS
TO THE REGISTRY OF THE COURT**

Chapter 7 Trustee E. Rebecca Case files this the Trustee's Motion to Deliver Unclaimed Funds to the Registry of the Court ("Motion") pursuant to 11 U.S.C. §347(a) and Bankruptcy Rule 3011 and in support thereof states the following:

1. The Court has jurisdiction in regard to this matter pursuant to 28 U.S.C. §1334 and 28 U.S.C. §157.
2. On August 29, 2000 Debtor Donna La Verne Wargo ("Debtor") filed a Voluntary Chapter 7 Petition for Relief under the provisions of Title 11 of the United States Code.
3. E. Rebecca Case was appointed as Chapter 7 Trustee ("Trustee Case").
4. On December 11, 2000 the Court closed the bankruptcy case.
5. On October 17, 2012 the Court entered an Order reopening the bankruptcy case.
6. On September 10, 2014 the Office of the United States Trustee reviewed Trustee's Case's Final Report ("TFR") and filed it with the Court.
7. On October 14, 2014 Trustee Case's TFR was approved by this Court.
8. On October 15, 2014 distribution checks were issued pursuant to the TFR and said checks were mailed on October 16, 2014.

9. As of January 29, 2015 the following two distribution checks made payable to Household Finance Corporation remain outstanding:

- a. Check number 112 in the amount of \$8,070.32, and
- b. Check number 113 in the amount of \$1,436.10.

10. 11 U.S.C. §347(a) states the following:

"Ninety days after the final distribution under section 726, 1226, or 1326 of this title in a case under chapter 7, 12, or 13 of this title, as the case may be, the trustee shall stop payment on any check remaining unpaid, and any remaining property of the estate shall be paid into the court and disposed of under chapter 129 of title 28."

11. Trustee Case has stopped payment on the checks remaining unpaid which are listed on **Exhibit "A"** of Trustee's Motion.

12. Bankruptcy Rule 3011 states the following:

"The trustee shall file a list of all known names and addresses of the entities and the amounts which they are entitled to be paid from remaining property of the estate that is paid into court pursuant to §347(a) of the Code."

13. Attached hereto and incorporated therein as **Exhibit "A"** is Trustee Case's Unclaimed Funds Report.

WHEREFORE, Trustee E. Rebecca Case requests that the Court approve the Trustee's Motion to Deliver Unclaimed Funds to the Registry of the Court and instruct her to deliver the estate's checks in the total amount of \$9,506.42 representing the unclaimed funds and interest earned thereon, if any, to the Registry of the Court pursuant to 11 U.S.C. §347(a) and Bankruptcy Rule 3011.

Respectfully submitted,

STONE, LEYTON & GERSHMAN
A Professional Corporation

/s/ E. Rebecca Case

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Chapter 7 Trustee

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been mailed first class, United States mail, postage prepaid and/or electronic notice on January 29 2015 to the following:

1. Donna La Verne Wargo Debtor
8747 Sterling
Center Line, Michigan 48015-1796
2. Robert E. Eggmann Attorney For Debtor
Desai Eggmann Mason LLC
7733 Forsyth Boulevard, Suite 800
Clayton, Missouri 63105
3. Office of the United States Trustee
Thomas F. Eagleton Courthouse
111 S. 10th Street, Suite 6353
St. Louis, Mo 63102

/s/ E. Rebecca Case
E. Rebecca Case

EXHIBIT "A"
UNCLAIMED FUNDS REPORT

<u>Issued to:</u>	<u>Check #:</u>	<u>Amount:</u>
Household Finance Corporation 636 Grand Regency Boulevard Brandon, Florida 33510	112	\$8,070.32
Household Finance Corporation 636 Grand Regency Boulevard Brandon, Florida 33510	113	\$1,436.10